

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JUNE 16, 2004**

UNAPPROVED
August 16, 2004

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District

ABSENT: Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 8:16 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Murphy noted that Peter Brinitzer, a former Planning Commission Chairman from the Mount Vernon District, had died on June 11, 2004. He said Mr. Brinitzer would be buried with full military honors at 1:00 p.m. on August 11, 2004 at Fort Myer, and called for a moment of silence in his honor.

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Chairman Murphy thanked everyone who had participated in the Fairfax Fair, held on June 11-13, 2004, at the Government Center, and noted that the Department of Planning and Zoning exhibit, "Stand by your Plan," had won second place for inside exhibits.

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Chairman Murphy made the following announcements:

- A farewell reception for former Lee District Commissioner Jack Kelso would be held on Monday, June 21, at 7:00 p.m. at the Franconia Government Center;

- The next showing of the Planning Commission Roundtable program featuring the Army Museum discussion would air on Thursday, June 17, 2004 at 6:30 p.m. on Channel 16;
- The July Roundtable program on the Zoning Ordinance Amendment concerning outdoor lighting, with Commissioner Wilson, would be taped on Tuesday, June 23, 2004 at 7:00 p.m.;
- The Roundtable program on the Geographic Information System, with Commissioner Alcorn, would be taped on Tuesday, June 24, 2004 at 8:00 p.m.

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Commissioner Lawrence MOVED THAT THE DECISIONS ONLY ON RZ 2003-PR-026 AND PCA 76-P-118, ELM STREET DEVELOPMENT, AND RZ 2003-PR-013, JCE, INC., BE DEFERRED INDEFINITELY.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.

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Commissioner Hopkins MOVED THAT THE DECISIONS ONLY ON RZ 2003-DR-063, PCA 95-D-040 AND SE 2003-DR-039, THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE (ST. JOHN CATHOLIC CHURCH), BE DEFERRED TO A DATE CERTAIN OF JUNE 24, 2004.

Commissioners Hart and Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.

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Commissioner Lawrence MOVED TO DEFER THE PUBLIC HEARING ON RZ 2003-PR-054 AND SE 2003-PR-030, OURISMAN BETHESDA, INC., TO A DATE CERTAIN OF OCTOBER 14, 2004.

Commissioners Byers and Lusk seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.

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Commissioner Byers MOVED TO DEFER THE PUBLIC HEARING ON SE 2004-MV-001 AND 2232-V04-2, WASHINGTON DC SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS, TO A DATE CERTAIN OF JULY 15, 2004.

Commissioner Lusk seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.

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Commissioner Murphy MOVED TO DEFER THE PUBLIC HEARING ON AR 95-S-001, JOHN T. KINCHELOE, TO A DATE CERTAIN OF JULY 14, 2004.

Commissioners Byers and Hall seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.

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Commissioner Lusk MOVED TO DEFER THE PUBLIC HEARING ON SE 2003-LE-031, SE 2003-LE-028, AND SE 2003-LE-029, SILVIO DIANA, TO A DATE CERTAIN OF OCTOBER 7, 2004.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.

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Commissioner Byers MOVED TO FURTHER DEFER THE DECISION ONLY ON RZ 2003-MV-045 AND FDP 2003-MV-045, NATIONAL CAPITAL LAND AND DEVELOPMENT INC., TO A DATE CERTAIN OF JULY 14, 2004, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

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FS-V04-25 - OMNIPOINT (T-MOBILE), FAIRFAX COUNTY PARK AUTHORITY,
8915 Hooes Road

Commissioner Byers MOVED THAT THE PLANNING COMMISSION FIND FS-V04-25, OMNIPOINT, T-MOBILE, IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND CONSIDERED A "FEATURE SHOWN" PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232.

Commissioner Lusk seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

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FS-D04-20 - FAIRFAX COUNTY PARK AUTHORITY, SPRING HILL PARK,
1239 Spring Hill Rd.

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION APPROVE FS-D04-20 FOR THE FAIRFAX COUNTY PARK AUTHORITY PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioners de la Fe and Lusk seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

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FS-S04-37 - CINGULAR WIRELESS, 9501 Old Burke Lake Road

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-S04-37.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

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SUBDIVISION ORDINANCE AMENDMENTS (Shared Utility Easements) (Decision Only)
(The public hearing on this application was held on June 3, 2004. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE BOARD ADOPT THE PROPOSED SUBDIVISION ORDINANCE AMENDMENTS ON SHARED UTILITY EASEMENTS AND REVIEW TIMES FOR SUBDIVISION PLATS AND PLANS AS SET FORTH IN THE REVISED STAFF RECOMMENDATION DISTRIBUTED TO THE PLANNING COMMISSION ON JUNE 3, 2004 AND AS FURTHER MODIFIED AS FOLLOWS:

-- MOVE THE EXEMPTION FOR MINOR LOT LINE ADJUSTMENTS FROM SUBPARAGRAPH A TO SUBPARAGRAPH E IN SECTION 101-2-2(24) SO THAT THE EXEMPTION FOR MINOR LOT LINE ADJUSTMENTS AND THE EXEMPTION FOR SUBDIVISIONS CREATING ONLY TWO LOTS ARE LOCATED IN THE SAME SUBPARAGRAPH.

Commissioner Byers seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Wilson absent from the meeting.

Commissioner Hart FURTHER MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT FINAL SUBDIVISION PLATS SUBMITTED FOR REVIEW PRIOR TO JULY 1, 2004, BE GRANDFATHERED FROM THE REQUIREMENT TO PROVIDE A SHARED UTILITY EASEMENT AS SET FORTH IN SECTION 101-2-2(24) OF THE PROPOSED SUBDIVISION ORDINANCE AMENDMENT AS MODIFIED TONIGHT AND THAT THE PROPOSED SUBDIVISION ORDINANCE AMENDMENTS AS SO MODIFIED GO INTO EFFECT AT 12:01 A.M. ON JULY 1, 2004.

Commissioner Byers seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Wilson absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. SE 2004-MV-010 – JERRY L. WINCHESTER AND FAIRFAX COUNTY BOARD OF SUPERVISORS
2. ZONING ORDINANCE AMENDMENT (OFF STREET PARKING)

This order was accepted without objection.

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SE 2004-MV-010 – JERRY L. WINCHESTER AND FAIRFAX COUNTY BOARD OF SUPERVISORS - Appl. under Sect. 2-904 of the Zoning Ordinance to permit uses in a floodplain. Located at 6430 Fourteenth St. on approx. 7,000 sq. ft. of land zoned R-3. Tax Map 93-2 ((8)) (10) 31 and 32. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Frederick Winchester, son of the applicant, reaffirmed the affidavit dated May 13, 2004. There were no disclosures by Commission members.

Commissioner Byers asked that Chairman Murphy ascertain whether there were any speakers in opposition to this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE SE 2004-MV-010, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1A OF THE STAFF REPORT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

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ZONING ORDINANCE AMENDMENT (OFF STREET PARKING) - To amend Chapter 112 as follows: Clarifies that the 10 foot setback requirement between off-street parking spaces and the front lot line does not apply to single family attached or detached dwellings and allows the Board of Supervisors, in conjunction with the approval of a rezoning or special exception application, to waive the 10 foot setback requirement at the same time as waiving or modifying the 10 foot wide peripheral parking lot landscaping requirement. PUBLIC HEARING.

Jack Reale, Zoning Administration Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Chairman Murphy called for speakers from the audience, but received no response. There were no comments or questions from the Commission and staff had no closing remarks; therefore he closed the public hearing and recognized Commissioner Hart for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE PROPOSED ZONING ORDINANCE AMENDMENT ENTITLED "LOCATION OF OFF-STREET PARKING RELATIVE TO THE FRONT LOT LINE" AS PRESENTED IN THE STAFF REPORT.

Commissioners Byers and Hopkins seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

Commissioner Hart MOVED THAT THE PLANNING COMMISSION ASK STAFF TO CONSIDER ADDING A FOLLOW-UP PROPOSED ZONING ORDINANCE AMENDMENT WHICH WOULD REVISE PARAGRAPH 3 OF SECTION 13-202 TO ALLOW THE BOARD OF ZONING APPEALS, IN CONJUNCTION WITH THE APPROVAL OF THE SPECIAL PERMIT, TO APPROVE A WAIVER OR A MODIFICATION OF THE TEN-FOOT

ZONING ORDINANCE AMENDMENT
(OFF STREET PARKING)

June 16, 2004

SETBACK REQUIREMENT IN PARAGRAPH 8 OF SECTION 11-102 AT THE SAME TIME
AS WAIVING OR MODIFYING THE TEN-FOOT WIDE PERIPHERAL PARKING LOT
LANDSCAPING REQUIREMENT OF PARAGRAPH 2 OF SECTION 13-102.

Commissioners Hopkins and Byers seconded the motion which carried unanimously with
Commissioner Wilson absent from the meeting.

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The meeting was adjourned at 8:51 p.m.

Peter F. Murphy, Jr., Chairman

Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings
which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Meeting taken by: Linda B. Rodeffer

Minutes by: Kara A. DeArrastia

Approved on:

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission